

## RESOLUTION NO. 2011-7075

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT REPORT AND DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR THE DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989**

**WHEREAS**, by Ordinance No. 96-907, adopted by the Imperial Beach City Council on January 2, 1997, the "Imperial Beach Business Improvement District" (the "District") was formed, pursuant to the provisions of the Parking and Business Improvement Area Law of 1989, codified as California Streets and Highways Code Section 36500 et seq. (the "Law"); and

**WHEREAS**, the advisory board for the District has caused a report to be prepared and said report is on file with the City Clerk; and

**WHEREAS**, the City Council has considered said report from the advisory board.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:**

**Section 1.** Pursuant to the Law, the City Council hereby declares its intention to levy and collect assessments within the Imperial Beach Business Improvement District as set forth in **Section 2.**

**Section 2.** The area included in the District includes the Imperial Beach business community within the following address ranges:

### **Sub-District #1/Highway 75 - Palm Avenue**

	<b><u>STREET</u></b>	<b><u>ADDRESS SERIES</u></b>
1.	7 <sup>th</sup> Street	600-800
2.	Delaware Street	600-800
3.	9 <sup>th</sup> Street	600-800
4.	10 <sup>th</sup> Street	600-800
5.	11 <sup>th</sup> Street	450-500
6.	12 <sup>th</sup> Street	500-800
7.	13 <sup>th</sup> Street	500-810
8.	Emory Street	600-800
9.	N. Emory Street	600-700
10.	Florence Street	500-600
11.	Florida Street	500-600
12.	Highway 75	500-1360
13.	Palm Avenue	700-1360

### **Sub-District #2/Old Palm Avenue**

	<b><u>STREET</u></b>	<b><u>ADDRESS SERIES</u></b>
1.	Palm Avenue	200-699
2.	3rd Street	500-700

**Sub-District #3/Seacoast Drive**

	<b><u>STREET</u></b>	<b><u>ADDRESS SERIES</u></b>
1.	Seacoast Drive	600-1099
2.	Palm Avenue	000-200
3.	Dahlia Avenue	000-200
4.	Donax Avenue	000-200
5.	Daisy Avenue	000-200
6.	Date Avenue	000-200
7.	Elm Avenue	000-200
8.	Evergreen Avenue	000-200
9.	Elder Avenue	000-200
10.	Elkwood Avenue	000-200
11.	Ebony Avenue	000-200
12.	Imperial Beach Blvd.	000-200

**Sub-District #4/13th Street Business Corridor**

	<b><u>STREET</u></b>	<b><u>ADDRESS SERIES</u></b>
1.	Imperial Beach Blvd.	1000-1400
2.	9 <sup>th</sup> Street	801-1100
3.	13 <sup>th</sup> Street	801-1100
4.	Emory Street	801-1100

**Sub-District #5/Bayside Businesses**

	<b><u>STREET</u></b>	<b><u>ADDRESS SERIES</u></b>
1.	Cherry Avenue	700-1100
2.	Boulevard Avenue	700-1300
3.	Basswood Avenue	700-1000

The assessments for the BID in Fiscal Year 2010-2011 are as follows and remain the same as first established in Ordinance No. 96-907:

Zone 1 – Highway 75/Palm Avenue, Old Palm Avenue, and Seacoast Drive

Zone 2 – 13<sup>th</sup> Street Business Corridor and around Imperial Beach Boulevard and side streets

<b><u>Category</u></b>	<b><u>Zone 1</u></b>	<b><u>Zone 2</u></b>
1. Financial/Entertainment	\$600	\$600
2. General Retail	\$120	\$100
3. Service and Professional	\$100	\$85
4. Industrial/Manufacturing	\$85	\$65

**Section 3.** The report of the advisory board is on file with the City Clerk. Said report contains a full and detailed description of the improvements and activities provided in Fiscal Year 2010-2011 and those to be provided for Fiscal Year 2011-2012.

**Section 4.** The purpose of forming the District as a parking and business improvement area under the Law, and continuing to levy and collect assessments, is to provide revenue to defray the costs of services and programs as authorized by Ordinance No. 96-907 establishing the District and which will benefit businesses in the area, including any of the following:

- A. The acquisition, construction, or maintenance of parking facilities for the benefit of the area;
- B. The decoration of any public place in the area;
- C. Promotion of public events which are to take place on or in public places in the area;
- D. Furnishing of music or entertainment in any public place in the area;
- E. The general promotion of business activities in the area.

**Section 5.** Pursuant to Streets & Highways Code Section 36534, notice is hereby given that **October 5, 2011 at the hour of 6:00 p.m., in the City Council Chambers of the Civic Center, 825 Imperial Beach Boulevard, Imperial Beach, California is fixed as the time and place when the City Council shall conduct a public hearing** where any and all persons having any desire to be heard may appear and state their views on the levy of the proposed assessment.

Written and oral protests may be made at the public hearing. The form and manner of protests shall comply with Sections 36524 and 36525 of the California Streets and Highways Code.

**Section 6.** The Clerk is hereby directed to give notice of the public hearing by causing this resolution of intention to be published once in a newspaper of general circulation in the city not less than seven days before the public hearing.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its regular meeting held on the 7<sup>th</sup> day of September, 2011, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>KING, BRAGG, SPRIGGS, BILBRAY, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>

\_\_\_\_\_  
/s/  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
/s/  
**JACQUELINE M. HALD, MMC**  
**CITY CLERK**